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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,986	11/21/2003	Vincent Trinh	3285P	1743
57580	7590	10/31/2008		
STRATEGIC PATENT GROUP, P.C.				
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MOUNTAIN VIEW, CA 94042				
EXAMINER				
LEE, MICHAEL				
ART UNIT		PAPER NUMBER		
2622				
MAIL DATE		DELIVERY MODE		
10/31/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/719,986

**Applicant(s)**

TRINH ET AL.

**Examiner**

M. Lee

**Art Unit**

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 September 2008.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 16-55 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 16-23, 25-35 and 37-55 is/are rejected.  
7) ☒ Claim(s) 24, 36, 47 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SB/06)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 16, 17, 21-23, 25-29, 34-35, 37-40, 44-46, and 48-55 are rejected under 35 U.S.C. 102(b) as being anticipated by Maturi et al. (5,559,999).

Regarding claim 16, Maturi discloses a MPEP decoding system showing a pre-parser 22, which meets the claimed demultiplexing step, a comparator 42 for comparing an SCR0 with a SCR1, wherein the SCR0 is generated from a clock pulse generator 40 and the SCR1 is parsed from a transport layer, which meets the comparing step as claimed, a synchronizing decoding operation (col. 7, lines 10-53), which meets the adjusting step as claimed, and presentation controllers 30 and 32 (col. 6, lines 45-58), which meets the synchronizing step as claimed. It should be noted that the encoder mentioned in col. 4, line 43 is not synchronized with the decoder system 10. In other words, the encoder and the decoder each have their own system clock generator.

Regarding claim 17, as shown in Figure 10, the comparator performs the comparing operation in a periodic interval.

Regarding claims 21 and 22, the data streams in Maturi are MPEG data streams.

Regarding claim 23, note col. 7, lines 45-48.

Regarding claim 25, note col. 7, lines 48-53.

Regarding claim 26, note col. 5, lines 51-53.

Regarding claim 27, note col. 6, lines 43-55.

Regarding claims 28-29, 34, 35, 37, 38, see the corresponding rejections as set forth above. In addition, the presentations controllers 30 and 32 inherently include digital to analog converters.

Regarding claims 39, 40, 44-46, 48, and 49, in addition of rejection above, the RAM 18a and host microcontroller 18 meets the article of manufacture as claimed since it stores the computer programs as claimed.

Regarding claims 50-55, as aforementioned, the encoder and the decoder both have their own clock generator.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18-20, 30-32, and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maturi et al. (5,559,999).

Regarding claims 18-20, in addition of rejection to claim 17, Maturi does not specify the periodic intervals as claimed (10 minutes, 5-10 minutes, or 15 minutes). In any event, since the comparator 42 is controlled by the host microcomputer 18 (note col. 8, lines 22-30), it is understood that the comparing function of the comparator can be configured to operate in any time interval. It would have been a matter of obvious

design choice. Hence, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the microcomputer 18 of Maturi so that the comparator could be operated in any time interval.

Regarding claims 30-32, and 41-43, see rejections to claims 18-20.

***Allowable Subject Matter***

5. Claims 24, 36, and 47 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

6. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Lee whose telephone number 571-272-7349. The examiner can normally be reached on Monday through Thursday from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran, can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/M. Lee/  
Primary Examiner  
Art Unit 2622